



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/519,295	03/06/2000	Hallett H. Mathews	4002-2270/DNK-1992-002-PA

Kenneth A Gandy  
Woodard Emhart Naughton Moriarty & McNett  
Bank One Center/Tower  
111 Monument Circle Suite 3700  
Indianapolis, IN 46204-5137



CONFIRMATION NO. 9015

ABANDONMENT/TERMINATION  
LETTER

\*OC000000007146630\*

Date Mailed: 12/03/2001

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 05/11/2000.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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FEB 12 2002  
OFFICE OF PETITIONS



WENMM/SB/21 (12/00)

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/519,295
Filing Date	March 6, 2000
First Named Inventor	Mathews, Hallett
Group Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	4002-2270

Total Number of Pages in this Submission

1

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input checked="" type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	POSTCARD
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

RECEIVED

Firm or Individual Name	Kenneth A. Gandy Woodard, Emhardt, Naughton, Moriarty & McNett
Signature	<i>Kenneth A. Gandy</i>
Date	November 6, 2001

FEB 12 2002

OFFICE OF PETITIONS

## Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington D.C. 20231 on this date:

Typed or printed name	Kenneth A. Gandy	Date	November 6, 2001
Signature	<i>Kenneth A. Gandy</i>		

PC199.11:KAG:147722/am

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

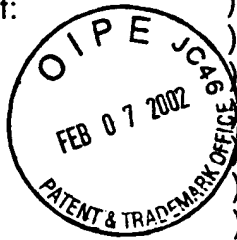
In re patent application of:

Hallett H. Mathews

Serial No. 09/519,295

Filed: March 6, 2000

**METHOD FOR SUBCUTANEOUS  
SUPRAFASCIAL PEDICULAR  
INTERNAL FIXATION**



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(Date of Deposit)

Kenneth A. Gandy

Name of Registered Representative

*Kenneth A. Gandy*

Signature

November 6, 2001

Date of Signature

November 6, 2001

**STATUS REQUEST**

Assistant Commissioner for Patents  
Washington, D.C. 20231  
**BOX STATUS**

Sir:

Please provide a status report for the above-identified patent application.

More than seven months have passed since applicant filed a Petition for Filing Receipt on March 20, 2001. Please provide the Filing Receipt as soon as possible.

Respectfully submitted,

By:

*Kenneth A. Gandy*  
Kenneth A. Gandy, Reg. No. 33,386  
Woodard, Emhardt, Naughton, Moriarty  
McNett

Bank One Center/Tower  
111 Monument Circle, Suite 3700  
Indianapolis, Indiana 46204-5137  
(317) 634-3456

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3700 DAC  
WENMM/SB/21 (12/00)

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	109/5119/295
Filing Date	March 6, 2000
First Named Inventor	Mathews, Hallett H.
Group Art Unit	
Examiner Name	
Attorney Docket Number	4002-2270

Total Number of Pages in this Submission

## ENCLOSURES (check all that apply)

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<input type="checkbox"/> Amendment Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
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<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	PETITION TO WITHDRAW HOLDING OF ABANDONMENT AND CONDITIONAL PETITION FOR REVIVAL.
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

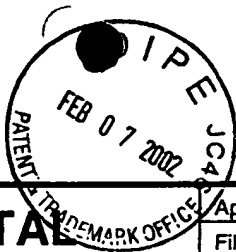
Firm or Individual Name	Kenneth A. Gandy Woodard, Emhardt, Naughton, Moriarty & McNett
Signature	<i>Kenneth A. Gandy</i>
Date	February 4, 2002

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Typed or printed name	Kenneth A. Gandy		
Signature	<i>Kenneth A. Gandy</i>	Date	February 4, 2002



WENMM/SB/21 (12/00)

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/519,295
Filing Date	March 6, 2000
First Named Inventor	Mathews, Hallett
Group Art Unit	Unknown
Examiner Name	Unknown
Total Number of Pages in this Submission	Attorney Docket Number 4002-2270

**ENCLOSURES (check all that apply)**

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<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	PETITION FOR FILING RECEIPT
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	POSTCARD
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual Name	Kenneth A. Gandy Woodard, Emhardt, Naughton, Moriarty & McNett
Signature	
Date	March 20, 2001

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Typed or printed name	Kenneth A. Gandy		
Signature		Date	March 20, 2001

**FEE TRANSMITTAL  
FOR FY 2002**

Patent fees are subject to annual revision.

FEB 07 2002

**Complete if Known**

Application Number	09/519,295
Filing Date	March 6, 2000
First Named Inventor	Mathews, Hallett H.
Group Art Unit	
Examiner Name	
Attorney Docket Number	4002-2270

Total Amount of Payment

(\$)

**METHOD OF PAYMENT**1. ☒

The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

23-3030

Deposit  
Account Name

Woodard, Emhardt, Naughton, Moriarty &amp; McNett

☒Charge any Additional Fee Required  
Under 37 CFR 1.16 and 1.17☐Applicant claims small entity status.  
See 37 CFR 1.27.2. ☐

Payment Enclosed:

☐

Check

☐

Credit Card

☐

Money Order

☐

Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility Filing Fee	
106	330	206	165	Design Filing Fee	
107	510	207	255	Plant Filing Fee	
108	740	208	370	Reissue Filing Fee	
114	160	214	80	Provisional Filing Fee	
<b>SUBTOTAL (1)</b>					<b>(\$)</b>

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee From Below	Fee Paid
-20** =		X	
-3** =		X	
Independent Claims			
Multiple Dependent			

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other Fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$)

**SUBMITTED BY**

Name (Print/Type)

Kenneth A. Gandy

Registration No.  
(Attorney/Agent)

33,386

Telephone

(317) 634-3456

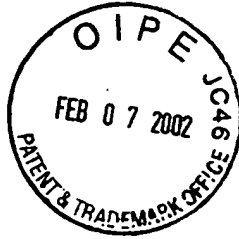
Signature

*Kenneth A. Gandy*

Date

February 4, 2002

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Matter No. 4002-2270

Initials: KAG/ade 3-20-01

**PLEASE RETURN THIS CARD**

(X) Patent ( ) Trademark  
( ) Copyright

Serial No. 09/519,295  
Applicant: Mathews, Hallett

Receipt of the attached is  
acknowledged.



- ( ) Application
- ( ) Check for \$ \_\_\_\_\_
- ( ) \_\_\_\_\_ sheets of drawing(s)
- ( ) Small Entity Declaration
- ( ) Declaration & Power of Atty.
- ( ) Assignment
- ( ) Amendment
- ( ) Req. for Extension of Time
- ( ) Specimens
- ( ) Information Disclosure Statement
- (X) Petition for filing receipt
- (X) Postcard
- ( ) \_\_\_\_\_

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Matter No. 4002-2270

Initials: KAG/am 11-6-01

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☒ Patent    ☐ Trademark  
☐ Copyright

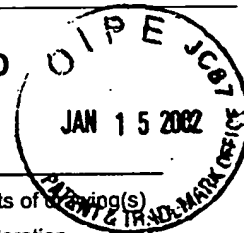
Serial No. 09/519,295

Applicant: Mathews

Method for Subcutaneous Suprafascial  
Pedicular Internal Fixation

Receipt of the attached is  
acknowledged.

- ☐ Application
- ☐ Check for \$ \_\_\_\_\_
- ☐ \_\_\_\_\_ sheets of drawing(s)
- ☐ Small Entity Declaration
- ☐ Declaration & Power of Atty.
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- ☐ Information Disclosure Statement
- ☒ Status Request
- ☒ Postcard
- ☐ \_\_\_\_\_



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